

Application No. 10/695,225
Response Dated September 8, 2006
Reply to Office Action of June 21, 2006
Attorney Docket No. 0116-031812

REMARKS

In the Office Action of June 21, 2006, the Examiner rejected all claims on a combination of references including Okamura U.S. Patent No. 6,310,762.

It is respectfully urged that Okamura is not a proper reference under 35 U.S.C. § 103(c).

At the time of the invention set forth in the claims of the above-captioned application, the invention was owned by JEOL Ltd., a Japanese corporation, as was the subject matter set forth in U.S. Patent No. 6,310,762.

This application is a division of Application No. 09/897,726 (now U.S. Patent No. 6,721,168). The parent application was assigned as an application to JEOL Ltd. on August 14, 2001 (see attached Assignment).

The Okamura et al. U.S. Patent No. 6,310,762 was assigned as an application to JEOL Ltd. on July 23, 2001 (see attached Assignment).

Both applications were assigned to the same entity within days of each other. Clearly, the subject matter of the Okamura et al. patent and the claimed subject matter of this application were owned by JEOL Ltd. or subject to an obligation of assignment to JEOL Ltd.

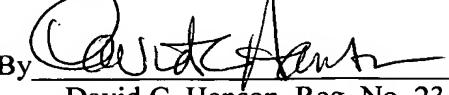
Under the provisions of 35 U.S.C. § 103(c)(i), the rejection based on Okamura et al. must be withdrawn.

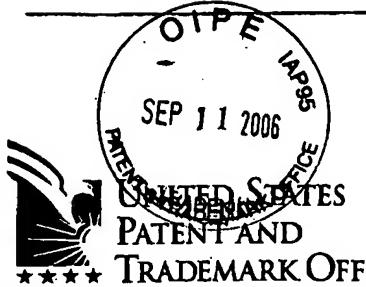
Application No. 10/695,225
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In view of the foregoing remarks, it is urged this case is now in condition for allowance.

Respectfully submitted,

THE WEBB LAW FIRM

By 
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DECEMBER 17, 2001

PTAS

WEBB ZIESENHEIM LOGSDON ET AL
DAVID C. HANSON
700 KOPPERS BUILDING
436 SEVENTH AVENUE
PITTSBURGH, PA 15219-1818

Under Secretary of Commerce For Intellectual Property and
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Washington, DC 20231
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ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/01/2001

REEL/FRAME: 012237/0923
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:
TAKEUCHI, MAKOTO

DOC DATE: 08/14/2001

ASSIGNEE:
KOIKE, KATSUMI

DOC DATE: 08/14/2001

ASSIGNEE:
MOGAMI, AKINORI

DOC DATE: 08/14/2001

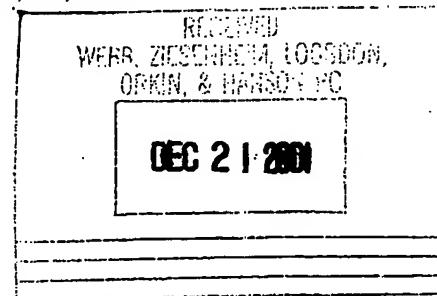
ASSIGNEE:
MARUYAMA, TAKAMICHI

DOC DATE: 08/14/2001

ASSIGNEE:
JEOL LTD.
1-2, MUSASHINO 3-CHOME, AKISHIMA
TOKYO 196-8558, JAPAN

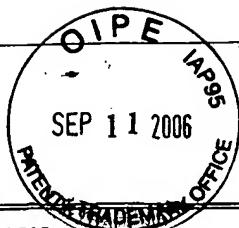
SERIAL NUMBER: 09897726
PATENT NUMBER:

FILING DATE: 07/02/2001
ISSUE DATE:



012237/0923 PAGE 2

SAUNDRA BALLENGER, EXAMINER
ASSIGNMENT DIVISION
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10-16-2001

FORM PTO-1595
(Rev. 6-93)

RECC



U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

Tab settings

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10-16-2001

To the Assistant Commissioner for Patents:
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Makoto TAKEUCHI, Katsumi KOIKE, Akinori MOGAMI, and Takamichi MARUYAMA	2. Name and address of receiving party(ies) Name: JEOL Ltd. Internal Address: Street Address: 1-2, Musashino 3-chome, Akishima Tokyo 196-8558, Japan City: State: ZIP:
Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____	
Execution Date: 08/14/01; 08/14/01; 08/14/01; 08/14/01	

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: _____	5. Patent Application No. (s). Serial No. 09/897,726, filed July 2, 2001 Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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6. Name and address of party to whom correspondence concerning document should be mailed: Name: David C. Hanson Internal Address: Webb Ziesenhein Logsdon Orkin & Hanson, P.C. Street Address: 700 Koppers Building 436 Seventh Avenue City: Pittsburgh State: PA ZIP: 15219-1818	7. Total number of applications and patents involved: 1 8. Total fee (37 CFR 3.41).....\$ 40.00 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: (Attach triplicate copy of this page if paying by deposit account)
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9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.		
David C. Hanson, Reg. No. 23,024 Name of Person Signing	Signature	September 27, 2001 Date
Total number of pages including cover sheet, attachments and document 3		

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Office of Public Records, Crystal Gateway 4, Room 335
Washington, D.C. 20231

5/2001 DBYRME 00000229 09897726

D:581

40.00 OP

ASSIGNMENT

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration paid to the undersigned, MAKOTO TAKEUCHI, KATSUMI KOIKE, AKINORI MOGAMI, and TAKAMICHI MARUYAMA, do hereby sell and assign to JEOL Ltd. of 1-2, Musashino 3-chome, Akishima, Tokyo 196-8558, Japan (hereinafter designated as the Assignee), the entire right, title, and interest for the United States of America as defined in 35 U.S.C. 100, in the invention known as ELECTRIC DOUBLE-LAYER CAPACITOR AND CARBON MATERIAL THEREFOR for which an application for a patent in the United States of America was filed by the undersigned on July 2, 2001 bearing Serial No. 09/897,726.

The undersigned agree to execute all papers necessary in connection with this application and any continuing, divisional or reissue applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation, division or reissue thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned agree to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for the Protection of Industrial Property or similar agreements.

The undersigned agree to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States resulting from said application or any division or divisions or continuing or reissue applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenant that they have full right to convey the entire interest herein assigned, and that they have not executed, and will not execute, any agreement in conflict herewith.

The undersigned hereby grant David C. Hanson (Registration No. 23,024), Richard L. Byrne (Registration No. 28,498) and Randall A. Notzen (Registration No. 36,882), 700 Koppers Building, 436 Seventh Avenue, Pittsburgh, Pennsylvania 15219-1818, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

In witness whereof, executed by the undersigned on the date opposite the undersigneds' names.

Date Aug. 14, 2001

Inventor Makoto Takeuchi
Makoto TAKEUCHI

Date Aug. 14 2001

Inventor K. Koike
Katsumi KOIKE

Date Aug. 14. 2001

Inventor A. Mogami
Akinori MOGAMI

Date Aug. 14. 2001

Inventor T. Maruyama
Takamichi MARUYAMA



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
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NOVEMBER 07, 2001

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WEBB, ZIESENHEIM LOGSDON ORKIN & ET AL
DAVID C. HANSON
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436 SEVENTH AVENUE
PITTSBURGH, PA 15219-1818



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RECORDATION DATE: 09/06/2001

REEL/FRAME: 012136/0716
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
OKAMURA, MICHIO

DOC DATE: 07/23/2001

ASSIGNOR:
TAKEUCHI, MAKOTO

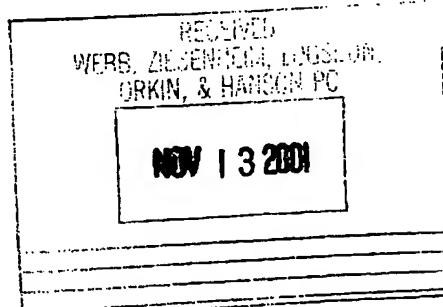
DOC DATE: 07/23/2001

ASSIGNEE:
JEOL LTD.
1-2, MUSAHINO 3-CHOME, AKISHIMA
TOKYO 196-8558, JAPAN

SERIAL NUMBER: 09261625
PATENT NUMBER: 6310762

FILING DATE: 03/03/1999
ISSUE DATE: 10/30/2001

SHARON BROOKS, EXAMINER
ASSIGNMENT DIVISION
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09-10-2001

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Michio OKAMURA and Makoto TAKEUCHI 96-21

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: July 23, 2001 and July 23, 2001

2. Name and address of receiving party(ies)

Name: JEOL Ltd. SEP - 6 3/11

Internal Address: _____

Street Address: 1-2, Musashino 3-chome, Akishima
Tokyo 196-8558, Japan

City: _____

State: _____ ZIP: _____

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application,
the execution date of the application is: _____

A. Patent Application No. (s)

Serial No. 09/261,625, filed March 3, 1999

Additional numbers attached? Yes No

B. Patent No. (s)

5. Name and address of party to whom correspondence
concerning document should be mailed:

Name: David C. Hanson
Internal Address: Webb Ziesenhein Logsdon
Orkin & Hanson, P.C.
Street Address: 700 Koppers Building
436 Seventh Avenue
City: Pittsburgh State: PA ZIP: 15219-1818

6. Total number of applications and
patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

Enclosed

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy
is a true copy of the original document.

David C. Hanson, Reg. No. 23,024
Name of Person Signing

Signature

September 4, 2001
Date

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Washington, D.C. 20231

09/10/2001 DBYRME 00000029 09261625

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ASSIGNMENT

For good and valuable consideration paid to the undersigned, MICHIO OKAMURA and MAKOTO TAKEUCHI, do hereby sell and assign to JEOL Ltd. of 1-2, Musashino 3-chome, Akishima, Tokyo 196-8558, Japan (hereinafter designated as the Assignee), the entire right, title, and interest for the United States of America as defined in 35 U.S.C. 100, in the invention known as CARBON MATERIAL FOR ELECTRIC DOUBLE LAYER CAPACITOR, METHOD OF PRODUCING SAME, ELECTRIC DOUBLE LAYER CAPACITOR AND METHOD OF FABRICATING SAME, for which an application for a patent in the United States of America was filed by the undersigned on March 3, 1999, bearing Serial No. 09/261,625.

The undersigned agree to execute all papers necessary in connection with this application and any continuing, continuation-in-part, divisional or reissue applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation or continuation-in-part or division or reissue thereof and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference.

The undersigned agree to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for the Protection of Industrial Property or similar agreements.

The undersigned agree to perform all affirmative acts which may be necessary to obtain a grant of a valid United States patent to the Assignee.

The undersigned hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States resulting from said application or any division or divisions or continuing or continuation-in-part or reissue applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenant that they have full right to convey the entire interest herein assigned, and that they have not executed, and will not execute, any agreement in conflict herewith.

The undersigned hereby grant David C. Hanson (Registration No. 23,024), Richard L. Byrne (Registration No. 28,498) and Randall A. Notzen (Registration No. 36,882), 700 Koppers Building, 436 Seventh Avenue, Pittsburgh, Pennsylvania 15219-1818, the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

In witness whereof, executed by the undersigned on the date opposite the undersigneds' names.

Date July 23, 2001

Inventor Michio Okamura
Michio OKAMURA

Date July 23, 2001

Inventor M. Takeuchi
Makoto TAKEUCHI